

LEVENE, NEALE, BENDER, YOO & BRILL
Eve H. Karasik
Cal. Bar No. 155356
(pro hac pending)
Todd M. Arnold
Cal. Bar No. 221868
(pro hac approved) [Dkt. 4790]
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Hearing Date and Time:
December 13, 2019 at 8:00 a.m.

Attorneys for Certified Capital LP

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
In re: Chapter 11
SEARS HOLDING CORPORATION, *et al.*, Case No. 18-23538 (RDD)
Debtors. (Jointly Administered)
-----X

**CERTIFIED CAPITAL LP OBJECTION TO NOTICE REGARDING
INITIAL DISTRIBUTION PURSUANT TO ADMINISTRATIVE EXPENSE
CLAIMS CONSENT PROGRAM AND JOINDER IN OBJECTION OF
URBAN EDGE PROPERTIES LP TO NOTICE REGARDING INITIAL
DISTRIBUTION PURSUANT TO ADMINISTRATIVE EXPENSE CLAIMS
CONSENT PROGRAM [DOC. 6203]**

TO THE HONORABLE ROBERT D. DRAIN,
UNITED STATES BANKRUPTCY JUDGE:

Certified Capital LP (“Certified”) is a former landlord of Kmart Stores of Illinois, LLC pursuant to the Lease dated August 12, 1970, as amended (the “Lease”). The Lease was rejected as of April 30, 2019. Certified has filed both an administrative claim and a general unsecured claim in the above-captioned cases.

Certified opted in to the Administrative Expense Claims Consent Program (the “Program”) by timely delivering its Opt-In ballot to Prime Clerk. Neither the Debtors nor any representative of the estates (“Estates Representative”) has contacted Certified regarding the Opt-In ballot and/or Certified’s administrative expense claim (the “Certified Claim”). Pursuant to the Program, given that that no Estates Representative Party contacted Certified regarding the Certified Claim to reconcile the Claim or for any other purpose, the Certified Claim should be included in the Initial Distribution. However, the Certified Claim is not listed in the Notice Regarding Initial Distribution Pursuant to Administrative Expense Consent Program (the “Notice and Initial Distribution”).

For the reasons set forth in the *Objection of Urban Edge Properties LP To Notice Regarding Initial Distribution Pursuant To Administrative Expense Claims Consent Program* [Doc. 6203] (the “Urban Edge Objection”), Certified objects to the Notice and Initial Distribution and joins in the Urban Edge Objection and all other similarly filed objections to the Notice and Initial Distribution.

Dated: Los Angeles, California
December 13, 2019

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& BRILL

By: /s/ Todd M. Arnold
Eve H. Karasik, Cal. Bar No. 155356
(*pro hac vice* pending)
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